

Hearing Date/Time: May 17, 2023 at 11:00 a.m.

Objection Deadline: May 5, 2023 at 4:00 p.m.

HALPERIN BATTAGLIA BENZIJA, LLP

Alan D. Halperin, Esq.

Donna H. Lieberman, Esq.

40 Wall Street, 37th Floor

New York, NY 10005

Telephone: (212) 765-9100

Email: ahalperin@halperinlaw.net

Email: dlieberman@halperinlaw.net

*Counsel to Relator Carl Ireland,
Administrator of the Estate of James Garbe*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
In re	:	
	:	Chapter 11
SEARS HOLDINGS CORPORATION, et al., :	:	
	:	Case No. 18-23538 (SHL)
Debtors ¹ .	:	
	:	
-----	X	

**AMENDED MOTION OF RELATOR CARL IRELAND,
ADMINISTRATOR OF THE ESTATE OF JAMES GARBE, FOR AN
ORDER: (I) DETERMINING THE VALUE OF THE COLLATERAL
SECURING THE CLAIMS OF CO-MORTGAGEES RELATOR AND
THE UNITED STATES AS OF THE DATE OF SALE OF SUCH
COLLATERAL; (II) DETERMINING THE AMOUNT OF ANY
DIMINUTION IN THE VALUE OF SUCH COLLATERAL THEREAFTER;
(III) ALLOWING THE SECURED AND SUPERPRIORITY
ADMINISTRATIVE CLAIMS OF RELATOR AND THE
UNITED STATES; (IV) DIRECTING PAYMENT OF SUCH
ALLOWED SECURED AND SUPERPRIORITY ADMINISTRATIVE
CLAIMS; AND (V) GRANTING RELATED RELIEF**

PLEASE TAKE NOTICE that a hearing to consider the *Amended Motion of Relator Carl Ireland, Administrator of the Estate Of James Garbe, for an Order: (I) Determining the Value of the Collateral Securing the Claims of Co-Mortgagees Relator and the United States as of the Date of Sale of Such Collateral; (II) Determining the Amount of Any Diminution in the Value of Such Collateral Thereafter; (III) Allowing the Secured and Superpriority Administrative Claims of Relator*

¹ On January 11, 2023, the Court entered the Order (I) Entering Final Decree closing Certain of the Chapter 11 Cases and (II) Granting Related Relief [D.N. 10776], closing the affiliated chapter 11 cases and directing that all motions, notices, and other pleadings relating to any of the affiliated debtors (Sears Holdings Corporation and its affiliated debtors being the "Debtors") be filed in this case. The location of the Liquidating Trust for the Debtors is c/o M3 Advisory Partners, LP, 1700 Broadway, 19th Floor, New York, NY 10019.

and the United States; and (IV) Directing Payment of Such Allowed Secured and Superpriority Administrative Claims; and (V) Granting Related Relief (the “Motion”) will be held on **May 17, 2023 at 11:00 a.m.** (the “Hearing”) before the Honorable Sean H. Lane, United States Bankruptcy Judge, at the United States Courthouse, 300 Quarropas Street, White Plains, New York 10601 (the “Court”), via Zoomgov. Instructions to register for Zoomgov hearing can be found on the Court’s website: <https://www.nysb.uscourts.gov/ecourt-appearances>.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief sought in the Motion shall be in writing, state with particularity the basis for the objection, and be filed with the Court, in electronic format in accordance with General Order M-399, by utilizing the Court’s electronic case filing system at <https://ecf.nysb.uscourts.gov/>, or if the same cannot be filed electronically, by manually filing same with the Clerk of the Court together with a CD-ROM containing same in Word, WordPerfect or PDF format, with a hard copy provided to the Clerk’s Office at the Bankruptcy Court for delivery to the Chambers of the Honorable Sean H. Lane and upon Halperin Battaglia Benzija, LLP, 40 Wall Street, 37th Floor, New York, New York 10005, Attn: Alan D. Halperin, Esq. and Donna H. Lieberman Esq. so as to be received no later than **4:00 p.m. on May 5, 2023**.

PLEASE TAKE FURTHER NOTICE that if no objections are timely filed and served, the Court may grant the relief requested in the Motion without further notice or hearing.

Dated: New York, New York
March 31, 2023

HALPERIN BATTAGLIA BENZIJA, LLP

By: /s/ Alan D. Halperin
Alan D. Halperin, Esq.
Donna H. Lieberman, Esq.
40 Wall Street, 37th Floor
New York, NY 10005
Telephone: (212) 765-9100
Email: ahalperin@halperinlaw.net
dlieberman@halperinlaw.net